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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 RICHARD ROY SCOTT,

12 Plaintiff,

13 v.

14 PACIFIC COUNTY *et al.*,

15 Defendants.

Case No. C05-5711RBL

16 ORDER ADOPTING
17 REPORT AND
18 RECOMMENDATION

19 The Court, having reviewed Plaintiffs' complaint, the Report and Recommendation of
20 Magistrate Judge Karen L. Strombom, objections to the report and recommendation, if any, and the
21 remaining record, does hereby find and ORDER:

- 22 (1) The Court adopts the Report and Recommendation;
- 23 (2) The City of Long Beach's motion for summary judgment is **GRANTED**. This
24 defendant is **DISMISSED**. All claims barred by the fact that plaintiff has not
prevailed in a habeas challenge to his conviction are denied without prejudice. All
other claims are denied with prejudice. As there are no remaining defendants the
action is dismissed.
- 25 (3) The Clerk is directed to send copies of this Order to plaintiff, counsel for defendants
and to the Hon. Karen L. Strombom.

26 DATED this 4th day of October, 2006.

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RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE